

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ONB RIDGE VILLA ONE, LLC,)	CASE NO. 1:13-cv-00415
)	
Plaintiff)	
)	JUDGE JAMES S. GWIN
v.)	
)	
DEEP BAY GREEN CORPORATION)	RESPONSE TO DEFENDANTS'
et al.,)	MOTION TO HAVE THIRD-PARTY
)	WITNESS, SAM P. CANNATA,
Defendants.)	HELD IN CONTEMPT OF COURT

Third Party Witness, Sam P. Cannata ("Witness Cannata"), hereby submits his response to Defendants' Motion to hold Witness Cannata in contempt of Court.

The subpoena is addressed to an unknown address but was left at Witness Cannata's home. A copy of the subpoena is attached hereto and marked Exhibit "A." It was neither signed for nor received by Witness Cannata.

The subpoena only commanded the production of certain "original documents" from Witness Cannata, and did not command any testimony at a deposition. Witness Cannata does not have such documents and on January 9, 2014, Attorney Royer was so advised by Witness Cannata.

For the foregoing reasons, Witness Cannata respectfully prays to this Honorable Court for an Order denying Defendants' Motion, at Defendants' costs including reasonable attorney fees.

Respectfully submitted,

/s/ Sam P. Cannata
Sam P. Cannata (0078621)
30799 Pinetree Rd., #254
Cleveland, Ohio 44124
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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. Parties may access this filing through the Court's system.

/s/ Sam P. Cannata
Sam P. Cannata